

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PROVIDENCE ZUMBO, as Administratrix of the  
Estate of JOHN ZUMBO a/k/a JOHN D. ZUMBO,

CIV. NO. 07 CV 6340 (LMM)

Plaintiff,

-against-

T. AND B. EQUIPMENT COMPANY, INC.,  
ALLEN GEORGE ROTHENBERGER,

Defendants.  
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## **EXHIBIT "D"**

**TO**

**DECLARATION IN SUPPORT OF  
PLAINTIFF'S IN LIMINE  
MOTION**

1

2 P R O V I D E N C E Z U M B O ,

3 having been first duly sworn before a

4 Notary Public of the State of New

5 York, was examined and testified as

6 follows:

7

8 EXAMINATION BY

9 MR. FREEZE:

10 Q. Please state your name for the record.

11 A. Providence Zumbo.

12 Q. What is your address?

13 A. 50 Byram Terrace Drive, Greenwich,  
14 Connecticut 06831.

15 Q. Good morning, Ms. Zumbo.

16 A. Good morning.

17 Q. My name is Larry Freeze. I'm an  
18 attorney. I represent the defendants, T. and  
19 B. Equipment Company and Allen George  
20 Rothenberger.

21 I'm going to ask you some questions  
22 this morning about an accident that occurred  
23 involving your son. Some of the questions  
24 may be difficult. If you need a break at  
25 anytime for any reason, please let me know

1 Zumbo

2 and I'll be glad to accommodate you. I'll  
3 ask that you give verbal responses to my  
4 questions, because we have a court reporter  
5 here recording everything that we say and she  
6 cannot record a hand gesture or nod of your  
7 head. Some of the answers to my questions  
8 may be the word yes or may be the word no.  
9 If that is the case, please say the word yes  
10 or no rather than saying uh-huh or uh-uh,  
11 because those are the types of utterances  
12 that the court reporter has a hard time  
13 taking down.

14 How long have you lived at your  
15 current address?

16 A. 65 years. 65 years and five months.

17 Q. Who do you currently live with?

18 A. My husband, Carl.

19 Q. When were you married to Carl?

20 A. 9/11/71.

21 Q. How many children do you have?

22 A. I have two.

23 Q. What are the names of your children?

24 A. Christina.

25 Q. How old is Christina?